

HB0254S01 compared with HB0254

~~{deleted text}~~ shows text that was in HB0254 but was deleted in HB0254S01.

inserted text shows text that was not in HB0254 but was inserted into HB0254S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Michael E. Noel proposes the following substitute bill:

LIVESTOCK BRANDING AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael E. Noel

Senate Sponsor: _____

LONG TITLE

General Description:

This bill deals with the transportation and sale of livestock.

Highlighted Provisions:

This bill:

- ▶ defines the term "livestock emergency";
- ▶ states that ~~{,}~~ in ~~{certain circumstances}~~ a livestock emergency, the commissioner may require that a person transporting ~~{cattle}~~ livestock have the ~~{cattle}~~ livestock brand inspected;
- ▶ states that a website created and maintained within the state that markets the sale of livestock shall include a statement about the legal requirements surrounding the sale and purchase of livestock;
- ▶ describes criminal and administrative penalties; and

HB0254S01 compared with HB0254

- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

~~{AMENDS}~~ ENACTS:

~~4-24-16.3, {as last amended by Laws of} Utah {1988, Chapter 139~~

ENACTS: Code Annotated 1953

4-24-31, Utah Code Annotated 1953

4-24-32, Utah Code Annotated 1953

REPEALS:

4-24-16, as last amended by Laws of Utah 1988, Chapter 139

Be it enacted by the Legislature of the state of Utah:

Section 1. Section 4-24-16.3 is ~~{amended}~~ enacted to read:

~~4-24-16. {Livestock}3. Livestock emergency -- {Transportation of livestock between brand inspection districts -- Brand inspection required -- Exception -- No fee for reinspection -- Application for brand inspection -- Time and place of inspection}~~ Rules.

(1) As used in this section, "livestock emergency" means:

(a) the presence of a contagious, infectious, or transmissible disease risk to livestock;

or

(b) a natural disaster {, declared by a political subdivision,} which may {affect} effect livestock.

~~{(1) A person may not transport any} (2) {In} During a livestock emergency, the department may require a person transporting { cattle or calves from a point within a brand inspection district to a point outside the district[, except as provided in Subsection (2), until the] to have the cattle or calves [have been] brand inspected, unless the department approves their transport subject to brand inspection at some point designated along the transport route.~~

~~—— (3) A brand inspection fee is not required to be paid upon reinspection of cattle or calves being transported between districts from a summer or winter range or pasture if the~~

HB0254S01 compared with HB0254

~~cattle or calves were brand inspected in the district of origin.~~

~~—— (4) [Before transport from one district to another] If the department is requiring brand inspections, as described in Subsection (2), the owner or person responsible for the transport shall apply to the department to inspect the brands and marks of [the animals] an animal to be moved before transporting an animal from one district to another.~~

~~—— (5) The application described in Subsection (4) shall state [the] a time and place where the animals may be inspected.~~

~~—— (6) Upon receipt of an application} livestock to present the livestock for brand inspection {, the department shall conduct the inspection.}.~~

{ ~~—— (a) at the time and place specified in the application; or~~

~~—— (b) at [such other] a mutually agreed upon time and place [as the department approves].~~

~~—— [(2) Cattle or calves may be transported between brand inspection districts without brand inspection if they are destined for a livestock market in this state.]~~

~~—— [(3) Horses and mules may move within the state without a brand inspection, but a brand inspection is required on a change of ownership or to leave this state.]~~

‡ Section 2. Section **4-24-31** is enacted to read:

4-24-31. Websites promoting the sale of livestock.

(1) A website, created and maintained within the state, that markets the sale of livestock shall have the following statement clearly visible on each web page that displays advertised livestock: "Legality of Sales and Purchase, Health Laws. If you sell or purchase livestock on this site, you shall comply with all applicable legal requirements governing the transfer and shipment of livestock, including Utah Code Title 4, Chapter 24, Utah Livestock Brand and Anti-Theft Act, and Title 4, Chapter 31, Control of Animal Disease. Please contact the Utah Department of Agriculture and Food [at 801-538-7137](tel:801-538-7137) with any questions."

(2) A person who violates this section shall be subject to the penalties described in Section 4-24-32.

Section 3. Section **4-24-32** is enacted to read:

4-24-32. Penalties.

A person who violates a provision of this chapter:

(1) is guilty of a class B misdemeanor; and

(2) may be subject to administrative fines, payable to the department, of up to \$1,000

HB0254S01 compared with HB0254

per violation.

†

Legislative Review Note

~~as of 2-4-15 8:54 AM~~

~~Office of Legislative Research and General Counsel~~; Section 4. Repealer.

This bill repeals:

Section 4-24-16, Transportation of cattle and calves between brand inspection districts -- Brand inspection required -- Exception -- No fee for reinspection -- Application for brand inspection -- Time and place of inspection -- Applicability to horses and mules.